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Paper No. 26

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AUG 20 2004

OFFICE OF PETITIONS

In re Application of :
Wilson Wai Shun Chan :
Application No. 09/493,673 : DECISION ON PETITION
Filed: January 28, 2000 : UNDER 37 CFR 1.1.181
Atty Dkt No. 50277-383 OID 1999-921-02 :

This is a decision on the petition under 37 CFR 1.314, filed July 6, 2004, to defer issuance of the above-identified application, which is being treated as a petition under 37 CFR 1.181 requesting that the application file be returned to the jurisdiction of the Examiner for consideration of a previously submitted Information Disclosure Statement and for an initialed Form 1449.

The petition is granted.

Petitioner states that receipt of an initialed Form 1449 for the references filed on April 23, 2003 has never been received.

A review of the file record fails to disclose the presence of an initialed Form 1449 for the Information Disclosure Statement acknowledged by the proffered stamped return postcard as having been received in the USPTO on April 23, 2003.

In view of the above, this application is being returned to the jurisdiction of the Examiner in Technology Center AU 2172 for appropriate treatment of the Information Disclosure Statement acknowledged as having been received in the USPTO on April 23, 2003.

A petition treated under the provisions of 37 CFR 1.181 does not require a fee for consideration thereof. Accordingly, the \$130 fee submitted will be refunded to petitioner's deposit account in due course.

Frances Hicks

Frances Hicks
Petitions Examiner
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